

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**JASON A. KRYSHESKI and
TAYR KILAAB AL GHASHIYAH,
Petitioners,**

v.

Case No. 06C0015

**PHIL KINGSTON,
Respondent.**

ORDER

Petitioners Jason A. Krysheski and Tayr Kilaab al Ghashiyah filed a joint petition for a writ of habeas corpus asserting that their state court convictions and sentences were imposed in violation of the Constitution. On July 17, 2006, I dismissed their petition pursuant to Rule 4 of the Rules Governing § 2254 Cases. On July 25, 2006, petitioners filed a motion for reconsideration or, in the alternative, a motion to appeal to the Seventh Circuit in forma pauperis. I denied petitioners' motion for reconsideration and their implied request for a certificate of appealability. I also denied without prejudice their requests for in forma pauperis status because they had not filed affidavits, including statements of their assets, showing that they are unable to pay the appellate filing fee. I instructed petitioners that if they filed the required affidavits, I would reconsider their motion to proceed in forma pauperis.

Petitioner Ghashiyah has filed his required affidavit and statement of assets, and I am satisfied that he is unable to pay the appellate filing fee. Petitioner Krysheski has not filed the required affidavit and statement of assets.

THEREFORE,

IT IS ORDERED that petitioner Ghashiyah's motion for leave to appeal in forma pauperis is **GRANTED**.

Dated at Milwaukee, Wisconsin, this 17 day of October, 2006.

/s _____
LYNN ADELMAN
District Judge